

1 S T A T E M E N T
2 O F
3 VERNON WAINWRIGHT
4

ORIGINAL

5 IN RE: In the Matter of the Albion-Sheridan Township
6 Landfill Site

7 BY: MR. KURT N. LINDLAND
8 77 West Jackson Blvd.
Chicago, Illinois 60604

9 REPORTED BY: ACRO COURT REPORTERS, INC.
10 (Toni L. VanSyckle, Reporter)

11
12 At Albion City Hall, 112 Case Street, Albion,
13 Michigan, on Wednesday, June 3, 1992 commencing at or about
14 the hour of 9:55 a.m.

15 US EPA RECORDS CENTER REGION 5



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C O N T E N T S

WITNESS	PAGE
VERNON WAINWRIGHT	
Examination by Mr. Lindland.	3

E X H I B I T S

No Exhibits

1 V E R N O N W A I N W R I G H T,
2 having been first duly sworn, was examined and testified
3 under oath as follows:

4 EXAMINATION BY MR. LINDLAND:

5 Q. Will you please state your name for the record?

6 A. Vernon Lawrence Wainwright.

7 Q. Vernon, is that okay if I call you Vernon?

8 A. Vern.

9 MR. LINDLAND: Okay. As I indicated earlier, my
10 name's Kurt Lindland. I'm an attorney with the United
11 States Environmental Protection Agency.

12 The reason we're here today is for the purpose of
13 determining liability and for otherwise collecting
14 information relating to the Albion-Sheridan Landfill
15 Site.

16 Are you familiar with the oath that you just took?

17 THE WITNESS: Pardon?

18 MR. LINDLAND: Are you familiar with the oath that
19 you just took when you rose your --

20 THE WITNESS: Yes.

21 MR. LINDLAND: You recognize that oath as --

22 THE WITNESS: I have been a professional witness
23 at 38 arbitrations, and I've raised my hand many times.

24 MR. LINDLAND: Okay. If there's a question that
25 you don't understand that I ask, just say you don't

1 understand and I'll rephrase it. If you need to leave
2 for any reason, again, let me know, we can do that.

3 Q. (BY MR. LINDLAND) First, I'd like to start with some
4 questions about your educational background.

5 Starting with high school, could you please
6 describe in summary form your educational background?

7 A. I graduated from high school in 1940 in Painted Post,
8 New York.

9 My other education I got was in the army and
10 correspondence courses, mechanical courses, hydraulic
11 courses, whatever management courses they sent me to.

12 Q. What sort of mechanical courses are you referring to?

13 A. Hydraulic, electronics; I was in radar in the service
14 for awhile.

15 Right now I run a lazer shop.

16 Q. Okay. You said that you were in the army?

17 A. Yes.

18 Q. What year was that?

19 A. What unit?

20 Q. What year?

21 A. 1940 to 1945.

22 Q. Okay, and what was your job title when you were first
23 in the army?

24 A. I had many job titles.

25 Q. Okay, what was the first one?

1 A. First one I was a gunnery on a nine millimeter
2 anti-aircraft; Fort Totten, Long Island. In 1941 I was
3 transferred to the North Atlantic when we traded
4 Britain 50 destroyers for Bermuda, so on and so forth.

5 I went to Newfoundland. I was in an outfit there,
6 a motor sergeant, gunnery sergeant. I came back to the
7 states in '43, if my memory is right. Was in Texas for
8 awhile and went to Germany and joined the third army.
9 After a trip across Europe and so on, I eventually came
10 back to the states and was discharged July 3rd, 1945.

11 Q. What was your job title in Newfoundland?

12 A. I told you I was a gunnery sergeant, I was a motor
13 sergeant, I was a -- army you can be doing anything.

14 Q. Just a range. So there was no set job title, you did a
15 number of different things from 1940 to 1945?

16 A. Right.

17 Q. Okay. When you got out of the army, what was your
18 first job after the army?

19 A. I went to work for Corning Glass Works as a mechanic in
20 the press wear plant in Corning, New York.

21 Q. That was in 1945?

22 A. 1945.

23 Q. And could you briefly describe your job
24 responsibilities then?

25 A. Job responsibilities would be maintaining glass forming

1 machinery.

2 Q. Maintaining glass forming machinery?

3 A. Right.

4 Q. Did your job title ever change?

5 A. I went to master mechanic in management in 19 -- it was
6 around '49 or '50, I'm not sure of the date. Then I
7 went to --

8 Q. If I could stop you for a moment. That was in New York
9 also?

10 A. That was in New York also. That was pilot plant
11 operation.

12 Q. And that was until 1950?

13 A. That was about that: 1950. I stayed in that job until
14 around, and I can't remember the exact dates, this has
15 been a long time ago.

16 Q. Right, that's okay.

17 A. Around 1956 I believe it was. Then I went to BNC
18 Factory in Corning.

19 Q. Where is BMC?

20 A. Corning, New York.

21 Q. Is BMC --

22 A. BNC.

23 Q. Is that a part of Corning?

24 A. Yes, that's a part of Corning. General foreman of
25 maintenance and mold shop.

1 Q. What did BNC manufacture?

2 A. Well, BNC manufactured tubing. It's not there anymore,
3 it was a job shop, thermometer tubing, pyrex tubing,
4 all types of tubing.

5 Q. Okay, and that was until 1956?

6 A. That was 1956 I went there. I worked there for a year.

7 Q. Where did you go in 1957?

8 A. 1957 I went to the press wear plant as a project
9 engineer, senior project engineer.

10 Q. That's press work?

11 A. Press wear.

12 Q. Press wear plant. Is that in New York too?

13 A. Yeah.

14 Q. What were your responsibilities as a project engineer?

15 A. Project engineering was building and putting in
16 operation glass forming and finishing machinery. And
17 the latter part of 1957 I was only there a short time;
18 I came to Albion, general foreman of production
19 maintenance and mold shop. I worked in that job until
20 1966.

21 Q. Okay, if I could stop you there.

22 A. No, 1964 I guess it was.

23 Q. What were your responsibilities as general foreman of
24 the production maintenance and mold shop?

25 A. Manage tanks, all glass forming and finishing

1 equipment, the direction of it and operating the
2 department and buying parts, and so on and so forth.

3 Q. Okay. You were then promoted?

4 A. Then I went to general foreman of forming and
5 finishing: that was the forming of television tubes and
6 hot finishing of television tubes.

7 Q. That was in 1963?

8 A. '63 or '4, I'm not --

9 Q. Could you briefly describe your responsibilities as
10 foreman of hot finishing of television?

11 A. Forming and hot finishing?

12 Q. Right.

13 A. Well, in forming glass, that means you're forming a
14 part. And we formed the face plates of a television
15 that you look at and the back parts and we seal them
16 together, the glass seals, the hot seal. We sold them,
17 the tube makers like RCA, Zenith and so on and put them
18 in television sets. And my responsibility and my
19 department was to form these parts and hot finish these
20 parts.

21 Q. Okay. Did you then sell those tubes to a manufacturer
22 of TV's?

23 A. Yes, Zenith, RCA, Sylvania, General Electric. We did
24 pretty well until the Japanese came.

25 Q. Okay.

1 A. 1966 we added an addition on the plant and manufactured
2 color televisions. That was added to my
3 responsibilities at that time.

4 Q. Okay.

5 A. 1975 the Japanese drove us out of business.

6 Q. 1975?

7 A. You can put it down just that way. At that time, I was
8 made, what was the title they give me.

9 Q. Wait, in 1966 when you were manufacturing color TV's,
10 did your title change from foreman?

11 A. I was general foreman.

12 Q. Okay, then in 1975 --

13 A. 1975 the Japanese closed us down, no question about it,
14 put us out of business. We couldn't compete with them.

15 Q. And what was your title in 1975?

16 A. I went to facility manager. And I stayed with the
17 plant until it was sold in 1978.

18 Q. And what was your title in 1978?

19 A. I went to work for Gardian Industries and Fiberglass.

20 Q. Is Gardian Industries --

21 A. That is not part of Corning.

22 Q. Okay, so when you left Corning or when Corning closed
23 in 1978, you were facilities manager?

24 A. Yes.

25 Q. Okay, beginning in 1963 when you were the foreman of

1 forming and hot forming of TV tubes, who was your
2 supervisor then, if you remember?

3 A. Oh, let's see, Bill Bradshaw was one of them, Leon
4 Peao, P-E-A-O. I reported to production manager and
5 the production manager changed about every two years.
6 John Adams, Bill Weeks.

7 Q. Bill Weeks?

8 A. W-E-E-K-S. And that period of time that was about it,
9 I think.

10 Q. Do you know if those individuals are --

11 A. I did have another job after that.

12 Q. After?

13 A. In 19 -- I think it was 1972 I took over plant
14 engineering, that was plant -- all the maintenance, all
15 trades and maintenance in the plant.

16 Q. Okay.

17 A. And at that time, I made senior associate.

18 Q. Do you know if either Bill Bradshaw, Leon Peao, John
19 Adams or Bill Weeks are still in the Albion --

20 A. Bill Bradshaw is dead I know.

21 Q. Okay.

22 A. Bill Weeks, if he's still alive, is in Corning.

23 Leon Peao retired many years ago, and I don't know
24 if he's alive yet or not. I've lost contact with him.

25 John Adams is one of the Boston Adams family, and

1 he's in the stock business somewhere in Boston the last
2 I knew.

3 Q. In 1963 when you were foreman of forming and finishing
4 of -- or the television tube department, how many
5 employees did you have working under you?

6 A. 1963 approximately 350 to 400.

7 Q. When you were foreman of the forming and hot finishing
8 of the tube department in 1963, could you briefly
9 describe the process of forming and finishing hot
10 tubes?

11 A. Well, the glass is melted in a big tank, comes through
12 and is fed through to blast forming machines. A panel,
13 or the face plate, of a television tube is pressed in a
14 mold, hot glass and pressed into shape, contour on a
15 rotary press, rotary machine, holds usually 11 molds.
16 The back part or the front of the television tube is
17 spun by centrifugal casting machine. Hot glass is
18 dropped in the spinner mold and it spins it about two
19 thousand RPM and forms the back part of the television
20 tube. The tube is then sent through annealing lehr,
21 that's annealing lehr, L-E-H-R. The funnel is run
22 through and a glass tube neck is put on, a hot seal put
23 on.

24 Q. Briefly what is a knealing lehr?

25 A. Well, it's just a long conveyor with a fire in it with

1 a gas fire that brings the glass up to a temperature
2 and holds it there so long and then it goes on through
3 and slowly cools down.

4 Q. Okay.

5 A. That is to take a piece of glass, it'll break, you can
6 scratch it and it'll break.

7 Q. So this is a treatment or a hardening process?

8 A. This is annealing process.

9 Q. Knealing, you mean?

10 A. Annealing.

11 Q. Annealing, okay.

12 A. It's a stabilized piece of glass.

13 Q. Okay, that's basically the forming process then?

14 A. That is after it's formed.

15 Q. Okay. Would that be considered finishing?

16 A. That would be considered annealing.

17 The finishing part would be the tube sealed onto
18 the funnel and the button put in, the high voltage
19 button put in on the side of the tube. Then there is
20 another finishing afterwards that I didn't have
21 anything to do with that was a polish of the face
22 plate.

23 Q. And could you briefly describe the polishing?

24 A. Polishing the face plate. That is polished with pumice
25 slurry and a rouge slurry for the final polish. Rouge

1 is real fine.

2 Q. Do you know the chemical composition of the pumice
3 slurry and --

4 A. Pumice is volcanic, comes from a volcano. Rouge is
5 rouge, I don't know what it is.

6 Q. Okay. Was the pumice mixed with anything?

7 A. Water.

8 Q. Just water and pumice?

9 A. Right.

10 Q. And the rouge?

11 A. Water.

12 Q. Okay.

13 A. And if you want to know what happened to it, it went
14 out back into a settling pond where all the rouge and
15 pumice was settled out and then they were cleaned
16 periodically.

17 Q. Do you know where that material was brought by the
18 contractor?

19 A. No, I do not.

20 Q. In 1963 do you know whether any solvents were used at
21 Corning?

22 A. Solvents?

23 Q. Solvents used for grease cutting?

24 A. You had your regular, I don't know, mineral spirit or
25 something like that that you clean grease with and we

1 had alcohol that we used in the mold shop to wipe off
2 molds.

3 Q. Do you know approximately how -- in gallons how many
4 gallons were used there a week?

5 A. I have no way of knowing that.

6 Q. Do you remember seeing any drums or containers of
7 cleaning solvents?

8 A. It came in drums.

9 Q. Do you know what happened to the spent solvents after
10 they were used?

11 A. No, I don't.

12 Q. In 1966 you mentioned that Corning began to manufacture
13 color TV tubes?

14 A. Right.

15 Q. How did the production process or the forming process
16 of tubes change?

17 A. Well, it was still a spun funnel, and that's the only
18 part we made. We did make a few panels later but very
19 few, and that was just a more precise piece of glass
20 than the black and white because the color tube is --
21 because the color laminent has to be very precise; but
22 as far as the operation of the forming machine, the
23 forming machine was the same, it was in the molds and
24 the cooling that changed.

25 Q. Do you know whether those tubes were cleaned in the

1 same manner?

2 A. Those tubes are not polished, they were acid polished
3 fortified on the edge.

4 Q. They were, excuse me, acid?

5 A. The only thing that's polished is a black and white --
6 is the face plate, is the part you look at.

7 Q. Okay. You mentioned that the color tubes are polished
8 with acid or --

9 A. On the edge, acid fortified on the edge.

10 Q. And could you briefly describe that process, if you
11 can?

12 A. Well, as I recall, the acid was in tanks, whatever you
13 want to call it, and the color television tube was
14 brought down the edge of it in the acid. And that was
15 brought out, and moved over, and washed off, and
16 cleaned off.

17 Q. Do you know what kind of acid it was?

18 A. I'm not -- I believe it was hydrochloric.

19 Q. Hydrochloric?

20 A. I think so. Now don't -- I won't swear to that. It's
21 been a long time, and I'm better than 70 years old.

22 Q. And was that mixed with anything, the acid bath, what
23 was in the vat itself, there was hydrochloric acid
24 maybe and --

25 A. I don't know what it was mixed with. We had people in

1 engineering that took care of the acid. I don't know.

2 Q. Do you remember any individual's names that were in
3 engineering?

4 A. Don Bearhead in charge --

5 Q. Don Bearhead?

6 A. -- of the acid. And he also was in charge of the --
7 what the heck, where we sent the acid to neutralize it,
8 I forget what we called it. Al Palincs was in
9 engineering. He was in charge of that. Don Bear
10 worked for him. Don Bear, I believe it was B-E -- I'm
11 not sure how you spell it. Al Palincs is
12 P-A-L-I-N-C-S, I think, I'm not sure. He lives in
13 Corning, I know that.

14 Q. He's with Corning or he lives --

15 A. He's with Corning.

16 Q. And do you know what his job title is?

17 A. I don't know what he does anymore.

18 Q. Do you know if Don Bearhead is in the Albion area?

19 A. I don't know, I haven't seen Don Bear since the plant
20 closed.

21 Q. It's Don Bear?

22 A. Don Bear, yes.

23 Q. Okay. Do you know what was done with the acid bath
24 material after it was used?

25 A. It went through a, what do you call it, it was

1 neutralized with lime. We had a very large acid -- we
2 always called it the acid room but it had a name for
3 it. Acid disposal room I suppose you'd call it.

4 Q. Okay. And was that material you say it was neutralized
5 with lime?

6 A. Lime, yes.

7 Q. And was it then stored at Corning or was it --

8 A. That was taken away by someone, but I have no idea who,
9 it was an acid reclaiming or whatever you call it. I
10 did not have anything to do with the acid room.

11 Q. Okay. Do you know where that material was brought to?

12 A. I know where the last one went that when the plant
13 closed there was, oh, probably 12 to 15 drums of acid.
14 There was not a licensed person in Michigan that could
15 take it. And Corning finally found licensed people in
16 Illinois and they came in and took the acid.

17 Q. Do you know where they took it?

18 A. Took it to Illinois somewhere.

19 Q. Okay.

20 A. I have no way of knowing. The records are in the
21 archives back at Corning.

22 Q. Do you know if any of the acid material was brought to
23 the Albion-Sheridan Township Landfill?

24 A. Absolutely not, the only thing that was taken there was
25 the lime.

1 Q. The lime?

2 A. Yes.

3 Q. And was that brought in bags?

4 A. That was taken in a dump truck.

5 Q. Okay. Do you know if any other material was brought
6 there by Corning?

7 A. Well, everyday trash, dirt, cardboard, paper, sweeping
8 material, metal shavings from the machine shop, regular
9 plant trash. Plus when we had furnace repair, the
10 brick from the furnaces were taken there when repaired;
11 or tanks as we called them, melters.

12 Q. A refractory?

13 A. Yes, were taken there.

14 Q. So the bricks from the refractory were taken to the
15 landfill?

16 A. Right.

17 Q. Why were those bricks taken there?

18 A. What are you going to do with them?

19 Q. Were they broken?

20 A. They were wore out. After a melting unit runs so long,
21 the brick gets thin, and worn out, and breaks and so on
22 and so forth; and after you put millions and millions
23 of tons of glass through them, they eventually break
24 down. So every few years you have to have a major
25 furnace repair.

1 Q. Was there any dust generated when you would melt glass?

2 A. Any dust?

3 Q. Dust, or ash, or any by-product of glass?

4 A. Not when you melt it. There's some dust from the batch
5 but that was all taken -- we had bag houses on top of
6 the silos and all that to collect any dust that came
7 from that.

8 Q. And do you know what was done with the dust when the
9 bag houses were cleaned?

10 A. No.

11 Q. Do you know who would know?

12 A. (Witness shaking head.) Not unless engineering at
13 Corning would know.

14 Q. Would that be Don Bear?

15 A. No, Don Bear doesn't work for Corning anymore. All he
16 ever was was a technician in the acid room. Al Palancs
17 might know but Corning has every operation in the same
18 plant, they could tell you what they did with the dust,
19 cleaning bag houses.

20 Q. Who was in charge of the disposal of lime?

21 A. Who was in charge?

22 Q. Of the disposal at Corning in 1963 of the lime
23 material?

24 A. The dump truck was driven by a plant driver and taken
25 to the landfill. But Don Bear was in charge of the

1 lime.

2 Q. Okay, so --

3 A. That was the acid disposal lime or neutralizing lime,
4 whatever you want to call it.

5 Q. Who was in charge of disposal of other material?

6 A. The truck driver hauled it all to the landfill.

7 Q. But was there a hierarchy at Corning?

8 A. Well, he worked for plant master mechanic, plant
9 engineering, he was in trades: the truck driver was.

10 Q. Okay. Okay, I'd like to come back to those kind of
11 questions relating to the lime and acid.

12 Now I would like to sort of describe the
13 structure, the corporate structure of Corning at
14 Albion. For example, who's at the top of the chain, so
15 to speak?

16 A. Plant manager.

17 Q. That was yourself?

18 A. No.

19 Q. Okay, who was at the top of the chain in 1963?

20 A. Well, the plant manager changed about every two or
21 three years. The exact years, I can't remember. I can
22 give you a list of people that were plant managers here
23 over the years. In '63 Bill Bradshaw was one of them.

24 Q. Okay, so those individuals that you listed earlier --

25 A. No, they all weren't plant managers. Bill Bradshaw was

1 production manager, then went to plant manager. Plant
2 manager was over the whole plant, over everybody.

3 Q. Okay.

4 A. Bill Bradshaw was plant manager, Phil Hunt was plant
5 manager, Oaks Ames, A-M-E-S.

6 Q. Do you know approximately what date Oaks Ames was plant
7 manager?

8 A. No, I can't pull all the dates. I mean you'd have the
9 first plant manager that was here when I came, I can't
10 even remember his name now. Oaks Ames I'd say came
11 somewhere around 1960. He was followed by Bill
12 Bradshaw, if my recollection is right, then Phil Hunt,
13 and the last one was Gene McGresky and the in between
14 was, I can't recall his name right now.

15 Q. Okay. Who worked under the plant manager, what was the
16 job title or titles under the plant manager?

17 A. Plant managers had all the managers reporting to him,
18 all the department heads and production supervisors.
19 Production supervisor -- production superintendent
20 reported directly to plant manager.

21 Q. And was there one production supervisor?

22 A. One production superintendent, yes. Then you'd have
23 your department heads of different departments
24 reporting to the production superintendent.

25 Q. Approximately how many departments were there at the

1 Corning facility in Albion?

2 A. Probably seven or eight.

3 Q. And then were there --

4 A. Engineering reported directly to the plant manager.

5 Q. Okay. So would engineering be one of the eight
6 departments --

7 A. Yeah.

8 Q. -- that you're describing?

9 If you can remember, what were the other seven
10 departments?

11 A. Well, there was ceiling, polishing, shipping and
12 warehousing, plant maintenance, production maintenance,
13 hot forming, and finishing melting, and that's about it
14 as I can remember.

15 Q. And then below the plant supervisor or the eight
16 departments -- strike that.

17 How many employees were employed within each
18 department?

19 A. Well, that varied according to your production level.
20 We probably averaged in the plant over the years
21 probably around 8 hundred people, that included
22 everybody. There was times that we had 15 hundred
23 people working there.

24 Q. Okay, in 1963 approximately how many?

25 A. '63 I'd say we probably had about 8 hundred people

1 working there.

2 Q. And were they roughly -- were the number of employees
3 within each department roughly equal?

4 A. No. Mixing and melting was a small department, forming
5 and finishing was a big department, polishing was a big
6 department.

7 Q. How many people would be in melting, less than --

8 A. I don't know.

9 Q. Less than a hundred?

10 A. Yes, yes, probably 15 to 20.

11 Q. Okay, and then in finishing you said that was a larger
12 department?

13 A. Hot forming and finishing, I give you the numbers on
14 that before.

15 Q. Okay.

16 A. Ceiling was a big department.

17 Q. Approximately how many did you mention?

18 A. I don't know exactly how many would be in ceiling or
19 how many would be in polish.

20 Q. More than a hundred?

21 A. I'd say around a hundred.

22 Q. Okay.

23 A. Maybe more than a hundred, I'm not sure.

24 Q. Was there an accounting?

25 A. There was an accounting department there. There was a

1 personnel department there.

2 Q. Okay. Was the accounting department in charge of
3 contracting with outside contractors, companies that
4 would do work for Corning?

5 A. Engineering and plant engineering would take bids from
6 the contractors. Accounting would keep track of the
7 financial end of it.

8 Q. Okay.

9 A. You're talking about construction jobs and so on?

10 Q. I'm talking about either construction jobs or disposal
11 companies.

12 A. Well, this could even come through purchasing.

13 Q. Okay. For example, if Corning hired a disposal
14 company, under what department would the disposal
15 company contract with Corning?

16 A. Either engineering or come through purchasing. But
17 accounting would do the paying and have the records on
18 it.

19 Q. Okay. Do you remember any employee's name or the
20 department head of purchasing at Corning in 1963?

21 A. 1963 I believe John Devoe was ahead of purchasing at
22 that time.

23 Q. John?

24 A. Devoe, D-E-V-O-E.

25 Q. That's D-E-V-O-E?

- 1 A. Yes.
- 2 Q. Do you remember any other individuals that were at the
3 head of the purchasing department at Corning while you
4 were there?
- 5 A. Yeah, but I can't remember his name. He went to
6 Martinsburg, West Virginia. I don't recall his name.
- 7 Q. That's Martinsburg, West Virginia?
- 8 A. Yeah.
- 9 Q. Is John Devoe in the Albion area?
- 10 A. Yes, he's in the Albion area.
- 11 Q. Do you know the names of any of the companies that did
12 the disposal contracting for Corning?
- 13 A. Of what?
- 14 Q. Of either the lime material --
- 15 A. Lime material we disposed of ourself, I told you that
16 our dump truck took it to the landfill.
- 17 Q. What landfill was that?
- 18 A. Sheridan township.
- 19 Q. Okay, what about the acid material?
- 20 A. Acid material I do not know who took care of that.
- 21 Q. And the general refuse or trash?
- 22 A. I told you our driver took that.
- 23 Q. And those trucks have Corning's name on them?
- 24 A. Yes.
- 25 Q. Do you remember who took the spent solvents -- or you

1 mentioned the mineral spirits, do you remember where
2 that went?

3 A. No.

4 Q. What kind of container was the lime material brought to
5 the dump in, do you know?

6 A. A dump truck.

7 Q. So it wasn't placed in containers, then placed in the
8 drums, it was --

9 A. We had a setting alongside the plant and the lime came
10 out, finished its job, and the acid drum went into the
11 dump truck and that was taken to the landfill.

12 Q. So the lime was separated from the acid, then put in
13 the dump truck, then taken to the landfill?

14 A. Yes.

15 Q. Do you know whether any chemical analysis were run on
16 the lime material?

17 A. Well, now I couldn't swear to it but I'm sure there
18 was.

19 Q. Why do you say there probably was?

20 A. Well, our people run all kinds of tests on acid and
21 lime, I suppose that's what they were down there for.

22 Q. Do you know what kind of tests?

23 A. (Witness shaking head.)

24 Q. Approximately how much of the lime material went out
25 each week, do you know?

1 A. No, I don't know how much it was. When the dump truck
2 got full, it went out and dumped it.

3 Q. Do you remember how many dump trucks would go out there
4 each week?

5 A. A week? I doubt if there was over a dump truck a week.

6 Q. So less than one a week, maybe one every two weeks?

7 A. Something like that, and I won't -- I can't swear to
8 that.

9 Q. Was the use of the Albion-Sheridan Township Landfill
10 for dumping lime, was that used consistent or were
11 there -- and by that I mean were there breaks in the
12 use of that landfill, for example, did Corning bring
13 lime to another landfill for awhile?

14 A. No, all of Corning's material went to the Sheridan
15 Township Landfill.

16 Q. Are you familiar with a landfill known as Copix
17 Landfill?

18 A. Never heard of it.

19 Q. Okay. Do you know of any other companies or users of
20 the landfill?

21 A. Sure, all the companies in town used it: Union Steel,
22 McGraw Edison, Brooks Foundry, Albion Malable; it's
23 Hayes Albion now or it was, it's Harvard Industries
24 now.

25 Q. Harvard.

1 A. There was many little foundrys around town that used
2 it.

3 Q. Foundrys and industries?

4 A. And industries: Albion Industries, of course, McGraw
5 Edison is no more, Union Steel is no more. Brooks
6 Foundry is no more.

7 Q. Do you know what material they brought out there?

8 A. I wouldn't know.

9 Q. Do you know whether Albion College used that?

10 A. Albion College used it everyday.

11 Q. Do you know what kind of material they brought out
12 there?

13 A. I don't know, probably beer cups.

14 Q. Do you know whether any of the gas stations in town
15 used that?

16 A. I don't know. But all trash -- certainly all trash
17 picked up by trash haulers went to Sheridan Landfill
18 until it was closed in, what, '78 or something like
19 that, then it went to Bellview.

20 Q. Do you know whether the gasoline stations used it for
21 dispose of used oil?

22 A. I wouldn't know that.

23 Q. Have you ever been out to the landfill yourself?

24 A. Yep.

25 Q. When you worked for Corning?

1 A. When I worked for Corning? I remodeled a house and I
2 went to the landfill with what I took out of the house.

3 Q. But you didn't go to the landfill as a responsibility
4 when you worked for Corning?

5 A. No.

6 Q. Do you know whether Decker Manufacturing used the
7 landfill?

8 A. As I say, all industries in town used the landfill, the
9 only landfill around. It's the only place to get rid
10 of the stuff.

11 Q. Okay. Approximately how many times did you go out to
12 the landfill when you were remodeling your house, is
13 that the only time you used the landfill?

14 A. I probably took my garbage out there from time to time.

15 Q. Okay. Do you remember seeing any drums, by drums I
16 mean 55 gallon drums out at the landfill?

17 A. I can't recall, there may have been some there, I don't
18 know. You go out and you don't hang around a dump, you
19 kind of throw the stuff away and get out of there.

20 Q. I appreciate that.

21 Do you remember whether there was a pond with
22 liquid material in it out at the landfill?

23 A. (Witness shaking head.) It was kind of a swampy area
24 out there anyway, some of it.

25 Q. I mean a pond for specifically disposing of liquid

1 material?

2 A. I don't know. What you did is you backed up to a big
3 hole and dumped your stuff in it and they had
4 bulldozers there covering it.

5 Q. Did you ever meet the owner of the landfill?

6 A. What was his name, Sivic, Zivic?

7 Q. Stevick?

8 A. Yeah, I've seen him.

9 Q. Did you ever talk to him?

10 A. Maybe for five minutes. I had an argument with him one
11 day.

12 Q. And was he out at the landfill?

13 A. He was out at the landfill.

14 Q. Do you know whether he spent a lot of time out there?

15 A. I presume he did.

16 Q. Do you know any other employee's names that worked at
17 the landfill?

18 A. No, there was an old gentleman that was around town for
19 a long time that used to work there, but I don't know
20 what his name was, and I haven't seen him in the last
21 four or five years.

22 Q. Do you know an individual by the name of Lloyd Mosher?

23 A. No.

24 Q. Do you know the employee's names of any of the
25 companies that you or the industries that you listed

1 earlier that used the landfill, for example, McGraw
2 Edison?

3 A. I don't know the names of the people, no.

4 Q. Okay.

5 A. Look, I spent 12 to 16 hours a day at Corning running a
6 large department and I didn't have much time to go
7 around town and visit the other plants.

8 Q. Okay. You mentioned earlier that you had testified
9 before?

10 A. I've testified many times. I was a professional
11 witness at 38 different arbitrations between union and
12 management. And by the way, we never lost one of them.

13 Q. Okay. I assume that you were arbitrating on behalf of
14 the union or management?

15 A. This was grievances that the union had taken and
16 reached the level of where they couldn't get what they
17 wanted so they demanded to go to arbitration.

18 Q. Okay.

19 A. Binding arbitration.

20 Q. Have you ever been deposed before?

21 A. Been where?

22 Q. Have you been deposed, have you sat down as we're
23 sitting today with a court reporter and someone --

24 A. Yeah, your arbitrations are that way.

25 Q. Where someone is asking you questions?

1 A. Absolutely, you've got a union lawyer, and a company
2 lawyer, and you've got an arbitrator.

3 Q. Okay, I understand the process of arbitration.

4 What I'm asking is whether you have sat down like
5 we are sitting here today, the three of us, where one
6 person is asking you questions?

7 A. Yes.

8 Q. Outside of those arbitrations?

9 A. Let's see. I was in an automobile accident when I was
10 17 years old and I was -- yes, that's the only time.

11 Q. Okay. Have you ever testified at trial before?

12 A. No.

13 Q. The arbitrations that you referred to, those are all in
14 the context of union/management relations?

15 A. Every one of them.

16 Q. That's yes? If you could say yes or no for the court
17 reporter.

18 A. Yes.

19 Q. Did you speak with anyone about this deposition before
20 you came here today?

21 A. Have I spoke to anyone?

22 Q. Yeah.

23 A. Yeah, I called Corning and told them you contacted me
24 and I was going to testify. They asked me if I wanted
25 a lawyer. No, I'd come in and tell the truth as I know

1 it.

2 Q. Did they have any other recommendations for you?

3 A. No. Gentleman I contacted was Tony Gallow.

4 Q. Tony Gallow.

5 Have you spoken to anyone else, other than Tony
6 Gallow, about your deposition today?

7 A. Yeah, my wife and my son know about it.

8 Q. Okay. Did your son work for Corning too?

9 A. My son worked for Corning one summer while he was in
10 college.

11 Q. Briefly what was his responsibilities?

12 A. Handling glass after it was formed.

13 Q. Have you spoken to anyone about the Albion-Sheridan
14 Township Landfill before?

15 A. No.

16 Q. Have you read anything in the newspaper about the site
17 or about EPA's clean up of the site?

18 A. Well, I've read several things on places that EPA was
19 trying to clean up, not only this one but all over the
20 country.

21 Q. Where did you read that, was that in the local
22 newspaper?

23 A. I haven't seen anything in the local newspaper.

24 Q. Did you review any documents in preparation for your
25 deposition today?

1 A. I have no documents. When I left Corning, I took my
2 pension and I left Corning. I took no documents, they
3 all went to the archives. All records of this plant
4 are in the archives.

5 Q. Do you know the names of any other Corning employees
6 that are in the Albion area today, ex employees?

7 A. Probably a lot of -- not too many. A lot of them are
8 up to the cemetery. Bob Oldfield (phonetic), but he's
9 in no shape to testify to anything.

10 Q. Can you think of anybody else?

11 A. The truck driver that used to do our hauling past away
12 a couple years ago.

13 Q. What was his name?

14 A. Stanley Marzic.

15 Q. Marzic?

16 A. M-A-R-Z-I-C.

17 Q. Do you know Stanley Marzic?

18 A. Yes.

19 Q. Do you know whether he's related to a Marzic that lives
20 near Brighton, Michigan?

21 A. I don't know. His wife came around that area
22 someplace, though, but I don't know what her maiden
23 name was; and he may have relatives there, I don't
24 know. Wait a minute, he had a daughter there teaching
25 school down around there.

1 Q. Do you know whether she's still there?

2 A. I don't know. I haven't seen her since his funeral a
3 couple years ago, and I didn't talk with her then of
4 where she was.

5 Q. Do you remember any of the other truckdriver's names?

6 A. There was a couple, H-U-L-B-E-R-T or U-R-T, I'm not
7 sure which, brothers. I heard one of them past away,
8 but I'm not sure. The other one, I think, lives in
9 Rives Junction.

10 Q. Rires?

11 A. Rives, R-I-V-E-S; outside of Jackson. Or that's where
12 he used to live.

13 Q. And what was his first name, do you remember?

14 A. I don't know, I can't remember his first name. There
15 was two brothers, both of them drove the truck; and I
16 can't remember their first names.

17 Q. And that was Hulbert?

18 A. Hulbert, H-U-L-B either E-R-T or U-R-T, I'm not sure
19 which.

20 Q. How many trucks did Corning have?

21 A. Two dump trucks.

22 Q. And did they use them on a regular basis, both of them?

23 A. Yes. Plant trash was taken to the plant fill daily.

24 Q. And that is part of Corning's operation that fell
25 within the engineering department?

1 A. No, that fell within the trades department.

2 Q. The trades?

3 A. Yes.

4 Q. Do you remember who was the head of the trades
5 department?

6 A. I was at one time, Art Dailey was at one time; and I
7 don't know if Art Dailey is alive or where he is
8 anymore.

9 Q. Art Dailey?

10 A. Yes, Harold Rollen was at one time. Harold Rollen died
11 many years ago.

12 Q. Do you remember any other employees that worked in the
13 trades department?

14 A. Joe Bailey was master mechanic in the trades
15 department, he was in Florida the last I knew. I
16 haven't had any contact with him for probably 15 years
17 or so.

18 Tradesmen are strung all over. I mean some of
19 them are working for Post Cereal and some for Kellogg.
20 I imagine most of them are retired by now.

21 Q. Do you know how many employees were at Corning at the
22 time, 1978, when they closed?

23 A. 1978 when we closed there was probably about 2 hundred
24 50 people with us when they closed.

25 Q. And --

1 A. 250, 3 hundred, something like that.

2 Q. When they closed, did they hire a contractor to come in
3 and clean up the facility?

4 A. No, we cleaned up the facility.

5 Q. Who was in charge of that clean up?

6 A. That was me, I had four tradesmen working for me. A
7 good share of the glass forming equipment went to
8 Korea.

9 Q. When you cleaned up the facility in 1978, do you
10 remember any containers or drums?

11 A. I told you the only thing that I had was acid and that
12 went to Illinois.

13 Q. Okay. Other than the acid, do you know whether --

14 A. Hydraulic oil and so on went to other plants that was
15 left over.

16 Q. Do you remember whether there were any solvents,
17 mineral spirits, or grease cleaners left over?

18 A. Not that I can remember.

19 Q. Do you know whether Corning had any records of who they
20 contracted for the disposal of their lime with?

21 A. Of the acid?

22 Q. Of the acid or the lime material.

23 A. All of that stuff would be in the archives at Corning.
24 There was records of that, yes.

25 Q. Okay. And who would be in charge of the archives?

1 A. I don't know anymore.

2 Q. Do you know who was in 1978 when you left?

3 A. No. I know who our plant accountant was, it was Lee.

4 I said I know who he was. I can't remember his last
5 name now. Lee Grimm, I believe, was the last name.

6 Q. Lee Grimm?

7 A. Grimm. I did remember that other plant manager's name,
8 it was Jim Boughter, B-O-U-G-H-T-E-R.

9 Q. And during what time period was he plant manager?

10 A. Boughter was plant manager probably around 1968/69,
11 somewhere in that, early seventies.

12 Q. Who was the plant manager in 1978?

13 A. I was, I was facility manager.

14 Q. Is facility manager and plant manager the same title?

15 A. Yes.

16 Q. When did that change occur from plant manager to
17 facility --

18 A. When the plant closed down; you got a dead plant, you
19 put a facility manager on.

20 Q. How long were you the facility manager?

21 A. From 1975 till 1978 when we sold the plant to Gardian.

22 Q. Is that Gardian Paint?

23 A. Gardian Industries.

24 Q. And you mentioned that you worked for Gardian?

25 A. I work for Gardian now, yes.

- 1 Q. You work there now?
- 2 A. Yes, Gardian Fiberglass, Division of Gardian
3 Industries.
- 4 Q. And what is your job responsibilities there?
- 5 A. I'm manager of a lazer shop.
- 6 Q. Briefly what does Gardian do?
- 7 A. Fiber glasses. Gardian here -- Gardian is big in float
8 glass.
- 9 Q. Float glass?
- 10 A. Float glass: that is a plate glass, automobile glass,
11 architectural glass.
- 12 Q. And they make that here?
- 13 A. No, they make fiberglass here, insulation.
- 14 Q. Are they based in Albion or is this a --
- 15 A. Their headquarter's is in Northville, Michigan.
- 16 Q. So they took over in 1978 and you just switched over to
17 Gardian?
- 18 A. (Witness nodding head.)
- 19 Q. Did anybody else that worked -- used to work for
20 Corning switch over and work for Gardian then?
- 21 A. One fellow, but he left.
- 22 Q. Do you remember his name?
- 23 A. Don Gray.
- 24 Q. And he was a what?
- 25 A. An hourly employee. He was a tradesman.

1 Q. Okay. Is there anything else you can -- any other
2 information you have about Corning?

3 A. I told you to the best of my memory of what I know.

4 Q. Okay. I appreciate that. I realize this was a long
5 time ago. I mean --

6 A. I'm getting old, my memory's not as it used to be.

7 Q. My memory lapses too.

8 A. Remembering names is very hard sometimes.

9 Q. You came up with quite a few of them.

10 A. Yeah.

11 MR. LINDLAND: Okay. We can go off the record.

12 (Deposition concluded around 11:00 a.m.)

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1 STATE OF MICHIGAN)
2) ss.
3 COUNTY OF JACKSON)

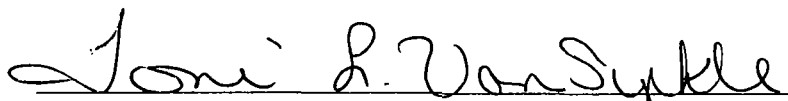
4 I, Toni L. VanSyckle, a Notary Public in and
5 for the above county and state do hereby certify that the
6 deposition of VERNON WAINWRIGHT, was taken before me at the
7 time and place hereinbefore set forth; that the witness was
8 by me first duly sworn to testify to the truth, the whole
9 truth and nothing but the truth; that thereupon the
10 foregoing questions were asked and foregoing answers made by
11 the witness which were duly recorded by me stenographically
12 and later transcribed by means of computer-aided
13 transcription, and I certify that this is a true and correct
14 transcript of my stenographic notes so taken.

15 I am not of counsel to either party nor
16 interested in the event of this cause.

17

18

19


Notary Public, Jackson County, Michigan

20

21

22 My commission expires March 14, 1994.

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VERIFICATION OF DEPONENT

I, VERNON WAINWRIGHT, having read the foregoing deposition consisting of my testimony at the aforementioned time and place, do hereby attest to the correctness and truthfulness of the transcript, with the exception of the corrections, if any, attached herewith.

(Signed)

Vernon E. Wainwright

Subscribed and sworn to before me

this 18th day of June, 1990.

Jessie K. Lottenton

Notary Public, Jackson, Michigan

My Commission Expires 4-24-94.

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Page 6 Pilot plant II line 7

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